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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **RON RAYMOND CSECH**
215 Calle Avenida
Bakersfield, CA 93314

14 Registered Nurse License No. 717030
Public Health Nurse License No. 72829

15 Respondent.

Case No.

2012-78

A C C U S A T I O N

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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about December 14, 2007, the Board of Registered Nursing (Board) issued
23 Registered Nurse License No. 717030 to Ron Raymond Csech (Respondent). The Registered
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and
25 will expire on May 31, 2013, unless renewed.

26 3. On or about February 13, 2008, the Board issued Public Health Nurse License No.
27 72829 to Respondent. The Public Health Nurse License was in full force and effect at all times
28 relevant to the charges brought herein and will expire on May 31, 2013, unless renewed.

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1 “(f) Conviction of a felony or of any offense substantially related to the qualifications,
2 functions, and duties of a registered nurse, in which event the record of the conviction shall be
3 conclusive evidence thereof.”

4 8. Section 2762 states, in pertinent part:

5 “In addition to other acts constituting unprofessional conduct within the meaning of this
6 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this
7 chapter to do any of the following:

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9 “(b) Use any controlled substance as defined in Division 10 (commencing with Section
10 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
11 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
12 himself or herself, any other person, or the public or to the extent that such use impairs his or her
13 ability to conduct with safety to the public the practice authorized by his or her license.

14 “(c) Be convicted of a criminal offense involving the prescription, consumption, or
15 self-administration of any of the substances described in subdivisions (a) and (b) of this section,
16 or the possession of, or falsification of a record pertaining to, the substances described in
17 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
18 thereof.”

19 9. Section 2764 provides, in pertinent part, that the expiration of a license shall not
20 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
21 to render a decision imposing discipline on the license.

22 REGULATORY PROVISIONS

23 10. California Code of Regulations, title 16, section 1444 states, in pertinent part:

24 “A conviction or act shall be considered to be substantially related to the qualifications,
25 functions or duties of a registered nurse if to a substantial degree it evidences the present or
26 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
27 safety, or welfare.”

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1 **COST RECOVERY**

2 11. Section 125.3 provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Conviction of a Substantially Related Crime)**

8 12. Respondent is subject to disciplinary action under section 2761, subdivision (f) and
9 490, as defined in California Code of Regulations, title 16, section 1444, in that Respondent was
10 convicted of a crime substantially related to the qualifications, functions or duties of a registered
11 nurse and public health nurse. On or about October 19, 2010, after pleading nolo contendere,
12 Respondent was convicted of one misdemeanor count of violating Vehicle Code section 23152,
13 subdivision (a) [driving under the influence of alcohol or drugs] in the criminal proceeding
14 entitled *The People of the State of California v. Ron Raymond Csech* (Super. Ct. Kern County,
15 2010, No. BM777285A). The Court sentenced Respondent to 45 days in Kern County Jail and
16 placed him on 3 years formal probation, with terms and conditions.

17 The circumstances surrounding the conviction are that on or about September 24, 2010,
18 Respondent drove a vehicle while under the influence of alcohol or drugs, and collided with
19 another vehicle resulting in injuries and damages. While speaking to Respondent, the Bakersfield
20 Police Department Officers detected an alcoholic beverage odor emitting from Respondent's
21 breath. Respondent was observed to have symptoms including red watery eyes, slurred speech,
22 droopy eyelids, and an unsteady gait. When questioned by officers, Respondent admitted that he
23 had consumed 1 ½ to 2 drinks of Long Island Iced Tea, an alcoholic beverage, that evening.
24 While at the scene, Respondent submitted to a Preliminary Alcohol Screening (PAS) Test that
25 resulted in a breath- alcohol content of .258%. He was subsequently arrested for violating
26 Vehicle Code section 23152, subdivision (a) [driving under the influence of alcohol or drugs] and
27 Vehicle Code Section 23152, subdivision (b) [driving while having 0.08% or more, by weight, of
28 alcohol in his blood].

1 Section 23152, subdivision (b) [driving while having 0.08% or more, by weight, of alcohol in his
2 blood]. During the booking procedure, Respondent submitted to a blood test that resulted in a
3 blood-alcohol content level of 0.10%.

4 **PRAYER**

5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
6 and that following the hearing, the Board issue a decision:

- 7 1. Revoking or suspending Registered Nurse License No. 717030, issued to Respondent
8 Ron Raymond Csech;
9 2. Revoking or suspending Public Health Nurse License No. 72829, issued to
10 Respondent Ron Raymond Csech;
11 3. Ordering Respondent Ron Raymond Csech to pay the Board the reasonable costs of
12 the investigation and enforcement of this case, pursuant to section 125.3; and
13 4. Taking such other and further action as deemed necessary and proper.
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17 DATED: August 5, 2011

for Louise R. Bailey
18 LOUISE R. BAILEY, M.ED., RN
19 Executive Officer
20 Board of Registered Nursing
21 Department of Consumer Affairs
22 State of California
23 Complainant
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